

Remarks/Arguments

Claim 1 remains in the application. The outstanding rejection to claim 1 in view of Filion et al (U.S. Patent No. 5,952,630) in view of Filion et al (U.S. Patent No. 5,448,028) and further in view of Spanjer (U. S. Patent No. 4,654,290) was overcome. Applicant appreciates the indication that this rejection has been overcome in the Office Action of June 14, 2005.

In the Office Action of June 14, 2005, the Examiner has now rejected claim 1 under 35 U.S.C. 103(a) as being unpatentable over Filion, et al. (United States Patent No. 5,952,630) in view of Feng, et al. (United States Patent No. 6,627,299). For the reasons set forth below, it is believed unnecessary to amend claim 1, and that claim satisfies the conditions of patentability under 35 USC 102/103.

As the Examiner may recall from Applicant's previous consideration of the art of record, Filion, et al. ('630), commonly assigned to the assignee of the present invention, is directed at a vehicle interior trim panel electrical switch assembly comprising a door armrest including a switch panel portion wherein said switch panel portion further comprises a substrate, a foam layer bonded to said substrate and a flexible skin having an underside surface bonded to said foam layer. A plurality of low profile force sensitive variable resistance sensors are embedded in the foam layer. Dependent claim 4 ('630) is directed at **indicia printed on the outer surface of the flexible skin** in direct overlying relationship to the afore-referenced resistance sensors. The Examiner also conceded, in the Office Action Mailed June 14, 2005 that "Filion, et al. ('630) do not teach a process of marking said outer skin using a laser".

Feng, et al. (United States Patent No. 6,627,299) appears to be directed at a composition and method for obtaining both light and dark laser marks of varying shades and intensities on a

single plastic article by selectively controlling laser parameters. The reference has nothing to do with, e.g., projecting a laser beam onto an outer skin surface in an area that overlies one or more switches to create a marking where a force may be applied to deform the skin and actuate the switches. In the sense that the Examiner admitted to the deficiencies of Filion et al ('630), the deficiency is not believed made up by Feng et al.

While granted, Feng et al disclose laser marking on a thermoplastic, it is not believed reasonable to conclude that Feng et al teach or suggest that laser marking may successfully be applied to a skin that overlies a switch such that a force may be continued to be applied to the skin to actuate the switch. See again, pending claim 1. In fact, Feng et al point out that laser marking of the thermoplastic materials disclosed in this reference "depends upon the rapid production of heating in the irradiated portion of the plastic due to absorption of the laser energy." Col. 1, lines 26-31. As the Examiner may appreciate, heat can be a serious problem in a plastic material, and those skilled in the art would understand that such heat can lead to thermal degradation and embrittlement.

That being the case, absent the benefit of Applicant's teaching, one of ordinary skill in the art would be inclined to conclude from Feng et al that the use of laser marking on a deformable polymer skin layer would be counter to the teachings of the art and would lead to heating and potential loss of flexibility that would otherwise be necessary to activate an underlying switch. Accordingly, it is submitted that Feng et al actually teach away from using laser marking for a deformable skin material positioned over a switch, when Feng et al emphasizes that "rapid production of heating" in such area would occur and clearly detrimental to the polymer skin ability to remain deformable. In addition, Feng et al, when pointing out the

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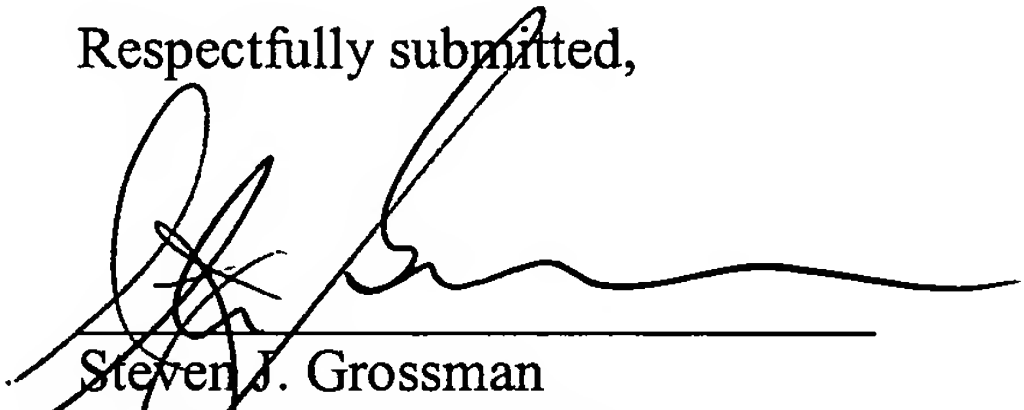
feature of rapid production of heat, would dissuade one of ordinary skill in the art to utilize such technique in the presence of switches proximate to such skin material.

Therefore, it is believed that neither Filion, et al. ('630) nor Feng, et al. ('299), taken alone or in combination, teach or suggest the features of the invention recited in claim 1. In consideration of the amendments to the claim and the remarks hereinabove, Applicants respectfully submits that all claims currently pending in the application are believed to be in condition for allowance. Re-examination and reconsideration is requested. Allowance at an early date is respectfully solicited.

In the event the Examiner deems personal contact is necessary, please contact the undersigned attorney at (603) 668-6560.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 50-2121.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **October 13, 2005**, at Manchester, New Hampshire.

By: 
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